

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SUEDE JEFFERY SHUTTLE,

Defendant.

CR 19–59–M–DWM

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendation in this matter on October 27, 2021. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach. Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).


Judge DeSoto recommended this Court accept Suede Jeffery Shuttle’s guilty plea after Shuttle appeared before her pursuant to Federal Rule of Criminal

Procedure 11, and entered his plea of guilty to possession of a firearm by an individual previously adjudicated as a mental defective and committed to a mental institution in violation of 18 U.S.C. §§ 922(g)(4) and 924 (a)(2), as set forth in the Indictment filed against him.

I find no clear error in Judge DeSoto's Findings and Recommendation (Doc. 41), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing, when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Suede Jeffery Shuttle's motion to change plea (Doc. 34) is GRANTED. Suede Jeffery Shuttle is adjudged guilty as charged in the Indictment.

DATED this 12th day of November, 2021.



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Donald W. Molloy, District Judge  
United States District Court

